

BILL ANALYSIS

H.B. 653

By: Davis, John

Licensing & Administrative Procedures

Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Cosmetology Commission (TCC) has a designation for a Shampoo-Conditioning Specialist. A person who wants to obtain this title must be 17 years of age, have completed the 7th grade or its equivalent, and have completed 150 clock hours in an approved beauty culture school course prescribed by the TCC in a public school vocational program. A candidate must also successfully complete a shampooing examination and pay a fee of \$43.00 to receive a license that is good for two years.

The purpose of HB 653 is to create a Shampoo Apprentice Permit. This permit would create an apprenticeship program that would provide necessary training for a person interested in pursuing this area of cosmetology. This bill will make the process of becoming a cosmetologist of this sort more accessible.

Also, should a person decide to enter the apprenticeship program and subsequently discover an allergy to certain shampoos or some other unforeseeable event should occur causing a person to leave the program after a very brief period, there would not be the same sort of consequences experienced under the apprenticeship program as under the current one.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Cosmetology Commission in SECTION 2 (Section 1602.267(d), Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1602.253, Occupations Code, by adding shampoo apprentice permit to list of applicants required to submit a certificate of health.

SECTION 2. Amends Subchapter F, Chapter 1602 of the Occupations Code as follows:

Sec. 1602.267. New Title: SHAMPOO APPRENTICE PERMIT. (a) Authorizes a person holding a shampoo apprentice permit to perform only the practice of cosmetology defined by Section 1602.002(3).

(b) Requires the Texas Cosmetology Commission to issue a shampoo apprentice permit to an applicant who is at least 16 years of age and submits a certificate of health.

(c) Provides that a shampoo apprentice permits expires on the first anniversary of the date of issuance. Prohibits a shampoo apprentice permit from being renewed.

(d) Requires the commission to adopt rules as necessary to administer this section. Prohibits the commission from requiring applicant to complete hours of instruction at a cosmetology training program as a prerequisite for the issuance of a shampoo apprentice permit. Also prohibits the commission from requiring applicant from paying a fee for a shampoo apprentice permit.

(e) Authorizes a licensed facility to employ a person who holds a shampoo apprentice permit to perform shampooing or conditioning services. Requires a licensed facility to pay the person at least the federal minimum wage.

SECTION 3. Requires the Texas Cosmetology Commission to adopt rules as added by this Act, not later than January 1, 2004.

SECTION 4. Effective date: September 1, 2003.